

HENRY C. QUERY, JR.

Patent Attorney At Law

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To:	Office of PCT Legal Administration	FROM:	Henry C. Query, Jr.
COMPANY:	Commissioner for Patents	DATE:	June 24, 2004
FAX NUMBER:	703-308-6459	TOTAL NO. OF PAGES INCLUDING COVER:	4
CC:			

SUBJECT:

U.S. Patent Application No. 09/890,900
Based on International Application No.: PCT/GB00/00462
International Application Filing Date: 02/10/2000
First Named Inventor: Gatherar
Attorney Docket No.: FMCE-P067 US

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Legal Section
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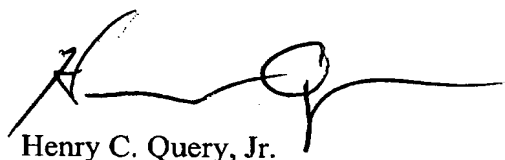
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Dear Sir or Madam:


Enclosed in connection with the above-referenced application are the following:

- 1) a Petition to Revive an Application Abandoned Unintentionally Under 37 CFR 1.137(b); and
- 2) a Credit Card Payment Form (form PTO 2038) in the amount of \$1,330.00 in payment of the Petition fee required under 37 CFR 1.17(m).

Sincerely,


Henry C. Query, Jr.**Certificate of Facsimile Transmission Under 37 CFR 1.8**

I hereby certify that this correspondence, consisting of 4 total pages, is being facsimile transmitted to the U.S. Patent and Trademark Office on June 24, 2004.


Henry C. Query, Jr.

06/31/2004 CSM00T 00000001 09090900

**PETITION TO REVIVE AN APPLICATION
ABANDONED UNINTENTIONALLY
UNDER 37 CFR 1.137(b)**

U.S. Application No.
09/890,900

International Application No.:
PCT/GB00/00462

I.A. Filing Date:
10 February 2000

First Named Inventor:
Gatherar

Attorney's File No.:
FMCE-P067 US

Date: June 24, 2004

To: Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

From: Henry C. Query, Jr.
504 S. Pierce Avenue
Wheaton, IL 60187, U.S.A.
Tel.: 630-260-8093
Fax: 630-260-8076

Dear Sir or Madam:

Applicants hereby petition the Commissioner under 37 CFR 1.137(b) for revival of the above-identified application.

This application became abandoned due to applicants failure to file a timely reply to a Notification of Missing Requirements Under 35 U.S.C. 371 which was mailed on September 13, 2001.

The entire delay in filing the required reply to the Notification of Missing Requirements from the due date for said reply until the filing of this Petition was unintentional, as evidenced by the following facts.

On August 6, 2001, applicants filed a request under 35 U.S.C. 371 to enter the above-identified International Application into the national phase in the United States.

On January 11, 2002, applicants filed a Request for Refund of Fees, a Preliminary Amendment and an Information Disclosure Statement in connection with this application.

To date, the Office has never replied to applicants' Request for Refund of Fees.

On December 11, 2002, applicants received a Notification of Abandonment dated December 3, 2002, which indicated that the application went abandoned for applicants failure to timely reply to the Notification of Missing Requirements of September 13, 2001.

In response to the Notification of Abandonment, on December 27, 2002 applicants filed a Petition to Revive an Application Abandoned Unavoidably Under 37 CFR 1.137(a). This Petition was accompanied by a complete and proper response to the Notification of Missing Requirements of September 13, 2001.

On August 1, 2003, the Office mailed a Decision on Petition Under 37 CFR 1.181. In this Decision, the Office treated applicants' Petition to Revive an Application Abandoned Unavoidably Under 37 CFR 1.137(a) as a Petition to Withdraw a Holding of Abandonment Under 37 CFR 1.181 and

U.S. Application No.: 09/890,900

Attorney's File No.: FMCE-P067 US

dismissed the Petition for failing to comply with the requirements of 1156 O.G. 53 (November 16, 1993).

In response to the Decision of August 1, 2003, on September 11, 2003 applicants filed a Renewed Petition Under 37 CFR 1.181.

On April 28, 2004, the Office mailed a Decision on Petition Under 37 CFR 1.181 denying applicants' Renewed Petition of September 11, 2003.

Accordingly, applicants submit that the entire delay in filing their reply to the Notification of Missing Requirements of September 13, 2001, from the due date for said response until the filing of this Petition, was unintentional.

Enclosed herewith is a Credit Card Payment Form (Form PTO 2038) in the amount of \$1,330.00 in payment of the Petition Fee required under 37 CFR 1.17(m).

The required reply to the Notification of Missing Requirements of September 13, 2001 was previously filed on December 27, 2002.

Since this application was filed after June 8, 1995, no terminal disclaimer is required.

Based on the foregoing, applicants respectfully request that the Commissioner grant the instant Petition and withdraw the holding of abandonment in the above-identified application.

Respectfully submitted,



Henry C. Query, Jr.
Reg. No. 35,650
Attorney for Applicants

United States Patent & Trademark Office
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Petition fee under 37 CFR 1.17(m)

☒ Patent Fee☐ Patent Maintenance Fee☐ Trademark Fee☐ Other Fee**Application No.**

09/890,900

Application No.**Serial No.****IDON Customer No.****Patent No.****Patent No.****Registration No.****Attorney Docket No.**

FMCE-P067

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Based on PT0-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-0043

HENRY C. QUERY, JR.

Patent Attorney At Law